

## MEMORANDUM ENDORSED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EIN CAP, INC. and RUSSELL NAFTALI,

Plaintiff,

v.

VAHE SHAHINIAN

Defendants.

Case No. 20-CV-1656

### NOTICE OF MOTION TO DISMISS COMPLAINT

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Motion to Dismiss Complaint, the Affirmation of Adam B. Michaels, and Affidavit of Vahe Shahinian submitted herewith, as well as all papers previously submitted in these proceedings, defendant Vahe Shahinian will move this Court before the Honorable Lewis A. Kaplan at the United States Courthouse for the Southern District of New York, on a date and time to be designated by the Court, for an Order dismissing plaintiffs EIN Cap, Inc.'s and Russell Naftali's Complaint pursuant to Fed. R. Civ. P. 12(b)(2) and Fed. R. Civ. P. 12(b)(6).

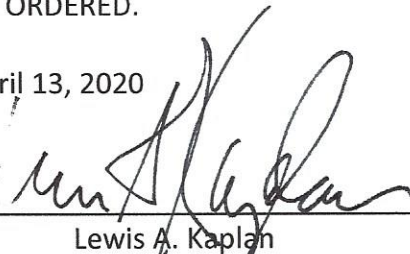
Respectfully submitted,

**HAND BALDACHIN & ASSOCIATES LLP**

Dated: March 13, 2020  
Motion granted to the extent the complaint is dismissed for lack of personal jurisdiction. The Clerk shall enter judgment and close the case.

SO ORDERED.

Dated: April 13, 2020



Lewis A. Kaplan  
United States District Judge

By: /s/ Adam B. Michaels  
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*Counsel for defendant Vahe Shahinian*